



Rep. Michael J. Zalewski

Filed: 3/10/2015

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1 AMENDMENT TO HOUSE BILL 355

2 AMENDMENT NO. _____. Amend House Bill 355 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Cannabis Control Act is amended by changing
5 Section 5.2 as follows:

6 (720 ILCS 550/5.2) (from Ch. 56 1/2, par. 705.2)

7 Sec. 5.2. Delivery of cannabis on school grounds.

8 (a) Any person who violates subsection (e) of Section 5 in
9 any school, on the real property comprising any school, or any
10 conveyance owned, leased or contracted by a school to transport
11 students to or from school or a school related activity, or on
12 any public way within 1,000 feet of the real property
13 comprising any school, or any conveyance owned, leased or
14 contracted by a school to transport students to or from school
15 or a school related activity, and at the time of the violation
16 persons under the age 18 are present, other than the person who

1 committed the offense, the offense is committed during school
2 hours, or the offense is committed at times when persons under
3 the age of 18 are reasonably expected to be present in the
4 school, in the conveyance, on the real property, or on the
5 public way, such as when after-school activities are occurring,
6 is guilty of a Class 1 felony, the fine for which shall not
7 exceed \$200,000;

8 (b) Any person who violates subsection (d) of Section 5 in
9 any school, on the real property comprising any school, or any
10 conveyance owned, leased or contracted by a school to transport
11 students to or from school or a school related activity, or on
12 any public way within 1,000 feet of the real property
13 comprising any school, or any conveyance owned, leased or
14 contracted by a school to transport students to or from school
15 or a school related activity, and at the time of the violation
16 persons under the age 18 are present, other than the person who
17 committed the offense, the offense is committed during school
18 hours, or the offense is committed at times when persons under
19 the age of 18 are reasonably expected to be present in the
20 school, in the conveyance, on the real property, or on the
21 public way, such as when after-school activities are occurring,
22 is guilty of a Class 2 felony, the fine for which shall not
23 exceed \$100,000;

24 (c) Any person who violates subsection (c) of Section 5 in
25 any school, on the real property comprising any school, or any
26 conveyance owned, leased or contracted by a school to transport

1 students to or from school or a school related activity, or on
2 any public way within 1,000 feet of the real property
3 comprising any school, or any conveyance owned, leased or
4 contracted by a school to transport students to or from school
5 or a school related activity, and at the time of the violation
6 persons under the age 18 are present, other than the person who
7 committed the offense, the offense is committed during school
8 hours, or the offense is committed at times when persons under
9 the age of 18 are reasonably expected to be present in the
10 school, in the conveyance, on the real property, or on the
11 public way, such as when after-school activities are occurring,
12 is guilty of a Class 3 felony, the fine for which shall not
13 exceed \$50,000;

14 (d) Any person who violates subsection (b) of Section 5 in
15 any school, on the real property comprising any school, or any
16 conveyance owned, leased or contracted by a school to transport
17 students to or from school or a school related activity, or on
18 any public way within 1,000 feet of the real property
19 comprising any school, or any conveyance owned, leased or
20 contracted by a school to transport students to or from school
21 or a school related activity, and at the time of the violation
22 persons under the age 18 are present, other than the person who
23 committed the offense, the offense is committed during school
24 hours, or the offense is committed at times when persons under
25 the age of 18 are reasonably expected to be present in the
26 school, in the conveyance, on the real property, or on the

1 public way, such as when after-school activities are occurring,
2 is guilty of a Class 4 felony, the fine for which shall not
3 exceed \$25,000;

4 (e) Any person who violates subsection (a) of Section 5 in
5 any school, on the real property comprising any school, or any
6 conveyance owned, leased or contracted by a school to transport
7 students to or from school or a school related activity, on any
8 public way within 1,000 feet of the real property comprising
9 any school, or any conveyance owned, leased or contracted by a
10 school to transport students to or from school or a school
11 related activity, and at the time of the violation persons
12 under the age 18 are present, other than the person who
13 committed the offense, the offense is committed during school
14 hours, or the offense is committed at times when persons under
15 the age of 18 are reasonably expected to be present in the
16 school, in the conveyance, on the real property, or on the
17 public way, such as when after-school activities are occurring,
18 is guilty of a Class A misdemeanor.

19 (Source: P.A. 87-544.)

20 Section 10. The Illinois Controlled Substances Act is
21 amended by changing Section 407 as follows:

22 (720 ILCS 570/407) (from Ch. 56 1/2, par. 1407)

23 Sec. 407. (a) (1) (A) Any person 18 years of age or over who
24 violates any subsection of Section 401 or subsection (b) of

1 Section 404 by delivering a controlled, counterfeit or
2 look-alike substance to a person under 18 years of age may be
3 sentenced to imprisonment for a term up to twice the maximum
4 term and fined an amount up to twice that amount otherwise
5 authorized by the pertinent subsection of Section 401 and
6 Subsection (b) of Section 404.

7 (B) (Blank).

8 (2) Except as provided in paragraph (3) of this subsection,
9 any person who violates:

10 (A) subsection (c) of Section 401 by delivering or
11 possessing with intent to deliver a controlled,
12 counterfeit, or look-alike substance in or on, or within
13 1,000 feet of, a truck stop or safety rest area, is guilty
14 of a Class 1 felony, the fine for which shall not exceed
15 \$250,000;

16 (B) subsection (d) of Section 401 by delivering or
17 possessing with intent to deliver a controlled,
18 counterfeit, or look-alike substance in or on, or within
19 1,000 feet of, a truck stop or safety rest area, is guilty
20 of a Class 2 felony, the fine for which shall not exceed
21 \$200,000;

22 (C) subsection (e) of Section 401 or subsection (b) of
23 Section 404 by delivering or possessing with intent to
24 deliver a controlled, counterfeit, or look-alike substance
25 in or on, or within 1,000 feet of, a truck stop or safety
26 rest area, is guilty of a Class 3 felony, the fine for

1 which shall not exceed \$150,000;

2 (D) subsection (f) of Section 401 by delivering or
3 possessing with intent to deliver a controlled,
4 counterfeit, or look-alike substance in or on, or within
5 1,000 feet of, a truck stop or safety rest area, is guilty
6 of a Class 3 felony, the fine for which shall not exceed
7 \$125,000;

8 (E) subsection (g) of Section 401 by delivering or
9 possessing with intent to deliver a controlled,
10 counterfeit, or look-alike substance in or on, or within
11 1,000 feet of, a truck stop or safety rest area, is guilty
12 of a Class 3 felony, the fine for which shall not exceed
13 \$100,000;

14 (F) subsection (h) of Section 401 by delivering or
15 possessing with intent to deliver a controlled,
16 counterfeit, or look-alike substance in or on, or within
17 1,000 feet of, a truck stop or safety rest area, is guilty
18 of a Class 3 felony, the fine for which shall not exceed
19 \$75,000;

20 (3) Any person who violates paragraph (2) of this
21 subsection (a) by delivering or possessing with intent to
22 deliver a controlled, counterfeit, or look-alike substance in
23 or on, or within 1,000 feet of a truck stop or a safety rest
24 area, following a prior conviction or convictions of paragraph
25 (2) of this subsection (a) may be sentenced to a term of
26 imprisonment up to 2 times the maximum term and fined an amount

1 up to 2 times the amount otherwise authorized by Section 401.

2 (4) For the purposes of this subsection (a):

3 (A) "Safety rest area" means a roadside facility
4 removed from the roadway with parking and facilities
5 designed for motorists' rest, comfort, and information
6 needs; and

7 (B) "Truck stop" means any facility (and its parking
8 areas) used to provide fuel or service, or both, to any
9 commercial motor vehicle as defined in Section 18b-101 of
10 the Illinois Vehicle Code.

11 (b) Any person who violates:

12 (1) subsection (c) of Section 401 is guilty of a Class
13 X felony the fine for which shall not exceed \$500,000 if he
14 or she commits the violation:

15 (A) in any school, or any conveyance owned, leased
16 or contracted by a school to transport students to or
17 from school or a school related activity, or on the
18 real property comprising any school, or within 1,000
19 feet of the real property comprising any school, and at
20 the time of the violation persons under the age 18 are
21 present, other than the person who committed the
22 offense, the offense is committed during school hours,
23 or the offense is committed at times when persons under
24 the age of 18 are reasonably expected to be present in
25 the school, in the conveyance, or on the real property,
26 such as when after-school activities are occurring,

1 (B) on residential property owned, operated or
2 managed by a public housing agency or leased by a
3 public housing agency as part of a scattered site or
4 mixed-income development, or public park, on the real
5 property comprising any ~~school or~~ residential property
6 owned, operated or managed by a public housing agency
7 or leased by a public housing agency as part of a
8 scattered site or mixed-income development, or public
9 park or within 1,000 feet of the real property
10 comprising any ~~school or~~ residential property owned,
11 operated or managed by a public housing agency or
12 leased by a public housing agency as part of a
13 scattered site or mixed-income development, or public
14 park,

15 (C) on the real property comprising any church,
16 synagogue, or other building, structure, or place used
17 primarily for religious worship, or within 1,000 feet
18 of the real property comprising any church, synagogue,
19 or other building, structure, or place used primarily
20 for religious worship, or

21 (D) on the real property comprising any of the
22 following places, buildings, or structures used
23 primarily for housing or providing space for
24 activities for senior citizens: nursing homes,
25 assisted-living centers, senior citizen housing
26 complexes, or senior centers oriented toward daytime

1 activities, or within 1,000 feet of the real property
2 comprising any of the following places, buildings, or
3 structures used primarily for housing or providing
4 space for activities for senior citizens: nursing
5 homes, assisted-living centers, senior citizen housing
6 complexes, or senior centers oriented toward daytime
7 activities ~~is guilty of a Class X felony, the fine for~~
8 ~~which shall not exceed \$500,000;~~

9 (2) subsection (d) of Section 401 is guilty of a Class
10 1 felony the fine for which shall not exceed \$250,000 if he
11 or she commits the violation:

12 (A) in any school, or any conveyance owned, leased
13 or contracted by a school to transport students to or
14 from school or a school related activity, or on the
15 real property comprising any school, or within 1,000
16 feet of the real property comprising any school, and at
17 the time of the violation persons under the age 18 are
18 present, other than the person who committed the
19 offense, the offense is committed during school hours,
20 or the offense is committed at times when persons under
21 the age of 18 are reasonably expected to be present in
22 the school, in the conveyance, or on the real property,
23 such as when after-school activities are occurring,

24 (B) on residential property owned, operated or
25 managed by a public housing agency or leased by a
26 public housing agency as part of a scattered site or

1 mixed-income development, or public park, on the real
2 property comprising any ~~school or~~ residential property
3 owned, operated or managed by a public housing agency
4 or leased by a public housing agency as part of a
5 scattered site or mixed-income development, or public
6 park or within 1,000 feet of the real property
7 comprising any ~~school or~~ residential property owned,
8 operated or managed by a public housing agency or
9 leased by a public housing agency as part of a
10 scattered site or mixed-income development, or public
11 park,

12 (C) on the real property comprising any church,
13 synagogue, or other building, structure, or place used
14 primarily for religious worship, or within 1,000 feet
15 of the real property comprising any church, synagogue,
16 or other building, structure, or place used primarily
17 for religious worship, or

18 (D) on the real property comprising any of the
19 following places, buildings, or structures used
20 primarily for housing or providing space for
21 activities for senior citizens: nursing homes,
22 assisted-living centers, senior citizen housing
23 complexes, or senior centers oriented toward daytime
24 activities, or within 1,000 feet of the real property
25 comprising any of the following places, buildings, or
26 structures used primarily for housing or providing

1 space for activities for senior citizens: nursing
2 homes, assisted-living centers, senior citizen housing
3 complexes, or senior centers oriented toward daytime
4 activities ~~is guilty of a Class 1 felony, the fine for~~
5 ~~which shall not exceed \$250,000;~~

6 (3) subsection (e) of Section 401 or Subsection (b) of
7 Section 404 is guilty of a Class 2 felony the fine for
8 which shall not exceed \$200,000 if he or she commits the
9 violation:

10 (A) in any school, or any conveyance owned, leased
11 or contracted by a school to transport students to or
12 from school or a school related activity, or on the
13 real property comprising any school, or within 1,000
14 feet of the real property comprising any school, and at
15 the time of the violation persons under the age 18 are
16 present, other than the person who committed the
17 offense, the offense is committed during school hours,
18 or the offense is committed at times when persons under
19 the age of 18 are reasonably expected to be present in
20 the school, in the conveyance, or on the real property,
21 such as when after-school activities are occurring,

22 (B) on residential property owned, operated or
23 managed by a public housing agency or leased by a
24 public housing agency as part of a scattered site or
25 mixed-income development, or public park, on the real
26 property comprising any ~~school or~~ residential property

1 owned, operated or managed by a public housing agency
2 or leased by a public housing agency as part of a
3 scattered site or mixed-income development, or public
4 park or within 1,000 feet of the real property
5 comprising any ~~school or~~ residential property owned,
6 operated or managed by a public housing agency or
7 leased by a public housing agency as part of a
8 scattered site or mixed-income development, or public
9 park,

10 (C) on the real property comprising any church,
11 synagogue, or other building, structure, or place used
12 primarily for religious worship, or within 1,000 feet
13 of the real property comprising any church, synagogue,
14 or other building, structure, or place used primarily
15 for religious worship, or

16 (D) on the real property comprising any of the
17 following places, buildings, or structures used
18 primarily for housing or providing space for
19 activities for senior citizens: nursing homes,
20 assisted-living centers, senior citizen housing
21 complexes, or senior centers oriented toward daytime
22 activities, or within 1,000 feet of the real property
23 comprising any of the following places, buildings, or
24 structures used primarily for housing or providing
25 space for activities for senior citizens: nursing
26 homes, assisted-living centers, senior citizen housing

1 complexes, or senior centers oriented toward daytime
2 activities ~~is guilty of a Class 2 felony, the fine for~~
3 ~~which shall not exceed \$200,000;~~

4 (4) subsection (f) of Section 401 is guilty of a Class
5 2 felony the fine for which shall not exceed \$150,000 if he
6 or she commits the violation:

7 (A) in any school, or any conveyance owned, leased
8 or contracted by a school to transport students to or
9 from school or a school related activity, or on the
10 real property comprising any school, or within 1,000
11 feet of the real property comprising any school, and at
12 the time of the violation persons under the age 18 are
13 present, other than the person who committed the
14 offense, the offense is committed during school hours,
15 or the offense is committed at times when persons under
16 the age of 18 are reasonably expected to be present in
17 the school, in the conveyance, or on the real property,
18 such as when after-school activities are occurring,

19 (B) on residential property owned, operated or
20 managed by a public housing agency or leased by a
21 public housing agency as part of a scattered site or
22 mixed-income development, or public park, on the real
23 property comprising any ~~school or~~ residential property
24 owned, operated or managed by a public housing agency
25 or leased by a public housing agency as part of a
26 scattered site or mixed-income development, or public

1 park or within 1,000 feet of the real property
2 comprising any ~~school or~~ residential property owned,
3 operated or managed by a public housing agency or
4 leased by a public housing agency as part of a
5 scattered site or mixed-income development, or public
6 park,

7 (C) on the real property comprising any church,
8 synagogue, or other building, structure, or place used
9 primarily for religious worship, or within 1,000 feet
10 of the real property comprising any church, synagogue,
11 or other building, structure, or place used primarily
12 for religious worship, or

13 (D) on the real property comprising any of the
14 following places, buildings, or structures used
15 primarily for housing or providing space for
16 activities for senior citizens: nursing homes,
17 assisted-living centers, senior citizen housing
18 complexes, or senior centers oriented toward daytime
19 activities, or within 1,000 feet of the real property
20 comprising any of the following places, buildings, or
21 structures used primarily for housing or providing
22 space for activities for senior citizens: nursing
23 homes, assisted-living centers, senior citizen housing
24 complexes, or senior centers oriented toward daytime
25 activities ~~is guilty of a Class 2 felony, the fine for~~
26 ~~which shall not exceed \$150,000;~~

1 (5) subsection (g) of Section 401 is guilty of a Class
2 2 felony the fine for which shall not exceed \$125,000 if he
3 or she commits the violation:

4 (A) in any school, or any conveyance owned, leased
5 or contracted by a school to transport students to or
6 from school or a school related activity, or on the
7 real property comprising any school, or within 1,000
8 feet of the real property comprising any school, and at
9 the time of the violation persons under the age 18 are
10 present, other than the person who committed the
11 offense, the offense is committed during school hours,
12 or the offense is committed at times when persons under
13 the age of 18 are reasonably expected to be present in
14 the school, in the conveyance, or on the real property,
15 such as when after-school activities are occurring,

16 (B) on residential property owned, operated or
17 managed by a public housing agency or leased by a
18 public housing agency as part of a scattered site or
19 mixed-income development, or public park, on the real
20 property comprising any ~~school or~~ residential property
21 owned, operated or managed by a public housing agency
22 or leased by a public housing agency as part of a
23 scattered site or mixed-income development, or public
24 park or within 1,000 feet of the real property
25 comprising any ~~school or~~ residential property owned,
26 operated or managed by a public housing agency or

1 leased by a public housing agency as part of a
2 scattered site or mixed-income development, or public
3 park,

4 (C) on the real property comprising any church,
5 synagogue, or other building, structure, or place used
6 primarily for religious worship, or within 1,000 feet
7 of the real property comprising any church, synagogue,
8 or other building, structure, or place used primarily
9 for religious worship, or

10 (D) on the real property comprising any of the
11 following places, buildings, or structures used
12 primarily for housing or providing space for
13 activities for senior citizens: nursing homes,
14 assisted-living centers, senior citizen housing
15 complexes, or senior centers oriented toward daytime
16 activities, or within 1,000 feet of the real property
17 comprising any of the following places, buildings, or
18 structures used primarily for housing or providing
19 space for activities for senior citizens: nursing
20 homes, assisted-living centers, senior citizen housing
21 complexes, or senior centers oriented toward daytime
22 activities ~~is guilty of a Class 2 felony, the fine for~~
23 ~~which shall not exceed \$125,000; or~~

24 (6) subsection (h) of Section 401 is guilty of a Class
25 2 felony the fine for which shall not exceed \$100,000 if he
26 or she commits the violation:

1 (A) in any school, or any conveyance owned, leased
2 or contracted by a school to transport students to or
3 from school or a school related activity, or on the
4 real property comprising any school, or within 1,000
5 feet of the real property comprising any school, and at
6 the time of the violation persons under the age 18 are
7 present, other than the person who committed the
8 offense, the offense is committed during school hours,
9 or the offense is committed at times when persons under
10 the age of 18 are reasonably expected to be present in
11 the school, in the conveyance, or on the real property,
12 such as when after-school activities are occurring,

13 (B) on residential property owned, operated or
14 managed by a public housing agency or leased by a
15 public housing agency as part of a scattered site or
16 mixed-income development, or public park, on the real
17 property comprising any ~~school or~~ residential property
18 owned, operated or managed by a public housing agency
19 or leased by a public housing agency as part of a
20 scattered site or mixed-income development, or public
21 park or within 1,000 feet of the real property
22 comprising any ~~school or~~ residential property owned,
23 operated or managed by a public housing agency or
24 leased by a public housing agency as part of a
25 scattered site or mixed-income development, or public
26 park,

1 (C) on the real property comprising any church,
2 synagogue, or other building, structure, or place used
3 primarily for religious worship, or within 1,000 feet
4 of the real property comprising any church, synagogue,
5 or other building, structure, or place used primarily
6 for religious worship, or

7 (D) on the real property comprising any of the
8 following places, buildings, or structures used
9 primarily for housing or providing space for
10 activities for senior citizens: nursing homes,
11 assisted-living centers, senior citizen housing
12 complexes, or senior centers oriented toward daytime
13 activities, or within 1,000 feet of the real property
14 comprising any of the following places, buildings, or
15 structures used primarily for housing or providing
16 space for activities for senior citizens: nursing
17 homes, assisted-living centers, senior citizen housing
18 complexes, or senior centers oriented toward daytime
19 activities ~~is guilty of a Class 2 felony, the fine for~~
20 ~~which shall not exceed \$100,000.~~

21 (c) (Blank). ~~Regarding penalties prescribed in subsection~~
22 ~~(b) for violations committed in a school or on or within 1,000~~
23 ~~feet of school property, the time of day, time of year and~~
24 ~~whether classes were currently in session at the time of the~~
25 ~~offense is irrelevant.~~

26 (Source: P.A. 93-223, eff. 1-1-04; 94-556, eff. 9-11-05.)

1 Section 15. The Methamphetamine Control and Community
2 Protection Act is amended by changing Section 55 as follows:

3 (720 ILCS 646/55)

4 Sec. 55. Methamphetamine delivery.

5 (a) Delivery or possession with intent to deliver
6 methamphetamine or a substance containing methamphetamine.

7 (1) It is unlawful knowingly to engage in the delivery
8 or possession with intent to deliver methamphetamine or a
9 substance containing methamphetamine.

10 (2) A person who violates paragraph (1) of this
11 subsection (a) is subject to the following penalties:

12 (A) A person who delivers or possesses with intent
13 to deliver less than 5 grams of methamphetamine or a
14 substance containing methamphetamine is guilty of a
15 Class 2 felony.

16 (B) A person who delivers or possesses with intent
17 to deliver 5 or more grams but less than 15 grams of
18 methamphetamine or a substance containing
19 methamphetamine is guilty of a Class 1 felony.

20 (C) A person who delivers or possesses with intent
21 to deliver 15 or more grams but less than 100 grams of
22 methamphetamine or a substance containing
23 methamphetamine is guilty of a Class X felony, subject
24 to a term of imprisonment of not less than 6 years and

1 not more than 30 years, and subject to a fine not to
2 exceed \$100,000 or the street value of the
3 methamphetamine, whichever is greater.

4 (D) A person who delivers or possesses with intent
5 to deliver 100 or more grams but less than 400 grams of
6 methamphetamine or a substance containing
7 methamphetamine is guilty of a Class X felony, subject
8 to a term of imprisonment of not less than 9 years and
9 not more than 40 years, and subject to a fine not to
10 exceed \$200,000 or the street value of the
11 methamphetamine, whichever is greater.

12 (E) A person who delivers or possesses with intent
13 to deliver 400 or more grams but less than 900 grams of
14 methamphetamine or a substance containing
15 methamphetamine is guilty of a Class X felony, subject
16 to a term of imprisonment of not less than 12 years and
17 not more than 50 years, and subject to a fine not to
18 exceed \$300,000 or the street value of the
19 methamphetamine, whichever is greater.

20 (F) A person who delivers or possesses with intent
21 to deliver 900 or more grams of methamphetamine or a
22 substance containing methamphetamine is guilty of a
23 Class X felony, subject to a term of imprisonment of
24 not less than 15 years and not more than 60 years, and
25 subject to a fine not to exceed \$400,000 or the street
26 value of the methamphetamine, whichever is greater.

1 (b) Aggravated delivery or possession with intent to
2 deliver methamphetamine or a substance containing
3 methamphetamine.

4 (1) It is unlawful to engage in the aggravated delivery
5 or possession with intent to deliver methamphetamine or a
6 substance containing methamphetamine. A person engages in
7 the aggravated delivery or possession with intent to
8 deliver methamphetamine or a substance containing
9 methamphetamine when the person violates paragraph (1) of
10 subsection (a) of this Section and:

11 (A) the person is at least 18 years of age and
12 knowingly delivers or possesses with intent to deliver
13 the methamphetamine or substance containing
14 methamphetamine to a person under 18 years of age;

15 (B) the person is at least 18 years of age and
16 knowingly uses, engages, employs, or causes another
17 person to use, engage, or employ a person under 18
18 years of age to deliver the methamphetamine or
19 substance containing methamphetamine;

20 (C) the person knowingly delivers or possesses
21 with intent to deliver the methamphetamine or
22 substance containing methamphetamine in any structure
23 or vehicle protected by one or more firearms, explosive
24 devices, booby traps, alarm systems, surveillance
25 systems, guard dogs, or dangerous animals;

26 (D) the person knowingly delivers or possesses

1 with intent to deliver the methamphetamine or
2 substance containing methamphetamine in any school, on
3 any real property comprising any school, or in any
4 conveyance owned, leased, or contracted by a school to
5 transport students to or from school or a
6 school-related activity, and at the time of the
7 violation persons under the age 18 are present, other
8 than the person who committed the offense, the offense
9 is committed during school hours, or the offense is
10 committed at times when persons under the age of 18 are
11 reasonably expected to be present in the school, in the
12 conveyance, or on the real property, such as when
13 after-school activities are occurring;

14 (E) the person delivers or causes another person to
15 deliver the methamphetamine or substance containing
16 methamphetamine to a woman that the person knows to be
17 pregnant; or

18 (F) (blank).

19 (2) A person who violates paragraph (1) of this
20 subsection (b) is subject to the following penalties:

21 (A) A person who delivers or possesses with intent
22 to deliver less than 5 grams of methamphetamine or a
23 substance containing methamphetamine is guilty of a
24 Class 1 felony.

25 (B) A person who delivers or possesses with intent
26 to deliver 5 or more grams but less than 15 grams of

1 methamphetamine or a substance containing
2 methamphetamine is guilty of a Class X felony, subject
3 to a term of imprisonment of not less than 6 years and
4 not more than 30 years, and subject to a fine not to
5 exceed \$100,000 or the street value of the
6 methamphetamine, whichever is greater.

7 (C) A person who delivers or possesses with intent
8 to deliver 15 or more grams but less than 100 grams of
9 methamphetamine or a substance containing
10 methamphetamine is guilty of a Class X felony, subject
11 to a term of imprisonment of not less than 8 years and
12 not more than 40 years, and subject to a fine not to
13 exceed \$200,000 or the street value of the
14 methamphetamine, whichever is greater.

15 (D) A person who delivers or possesses with intent
16 to deliver 100 or more grams of methamphetamine or a
17 substance containing methamphetamine is guilty of a
18 Class X felony, subject to a term of imprisonment of
19 not less than 10 years and not more than 50 years, and
20 subject to a fine not to exceed \$300,000 or the street
21 value of the methamphetamine, whichever is greater.

22 (Source: P.A. 94-556, eff. 9-11-05; 94-830, eff. 6-5-06.)".